

# COUNTY OF SUFFOLK

**Z-1**



**Steven Bellone**  
SUFFOLK COUNTY EXECUTIVE

**Natalie Wright**  
Commissioner

**Department of Economic Development and Planning**  
**Division of Planning and Environment**

## STAFF REPORT

### SECTIONS A14-14 THRU A14-24 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

**Applicant:** Bactolac Pharmaceutical Inc.  
**Municipality:** Town of Brookhaven  
**Location:** S/s of Ramsey Road, 3,018.47' e/o William Floyd Parkway (CR 46), hamlet of Shirley.

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**Received:** 12/15/20  
**File Number:** BR-21-01  
**T.P.I.N.:** 0200 55400 0300 004.052, and 005.000.  
**Jurisdiction:** Within the Suffolk County Pine Barrens Compatible Growth Area (CGA).

### ZONING DATA

- Zoning Classification: Industrial 1 (Light Industrial)
- Minimum Lot Area: 120,000 SF
- Section 278: N/A
- Obtained Variance: Pending (Front yard setback 100' req./50' proposed, and Parking 436 spaces req./223 proposed)

### SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: No
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: No
- SEQRA Information: Full EAF
- SEQRA Type: Type I [NYCRR 617.4 (6)(i)]
- Minority or Economic Distressed: No

### SITE DESCRIPTION

- Present Land Use: Vacant Land
- Existing Structures: None
- General Character of Site: Gently rolling and naturally wooded
- Range of Elevation within Site: 68'-108' amsl
- Cover: Wooded
- Soil Types: Carver and Plymouth series

- Range of Slopes (Soils Map): 0-8%
- Waterbodies or Wetlands: None other than vegetated recharge basin

#### **NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST**

- Type: Site plan
- Layout: One warehouse building having 149,150 SF 1<sup>st</sup> floor warehouse & manufacturing space & 25,000 SF mezzanine office space, Total gross SF = 174,150 SF
- Area of Tract: 508,870 SF (11.682 acres)
- Yield Map: N/A
  - No. of Lots: N/A
  - Lot Area Range: N/A
- Open Space: N/A

#### **ACCESS**

- Roads: Public
- Driveways: Private

#### **ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: Catch basins/drywells systems (beneath parking)
  - Recharge Basins: None indicated
- Groundwater Management Zone: III
- Water Supply: Public – SCWA
- Sanitary Sewers: Public – Connect to Town of Brookhaven Sewer District #2 – Brookhaven Technology Center

### **PROPOSAL DETAILS**

**OVERVIEW** – Applicants seek site plan approval from the Brookhaven Town Planning Board on a 11.682 acre wooded property to construct a manufacturing/warehouse building with a gross square footage of 174,150 SF. The proposed building would consist of 149,150 SF of manufacturing/warehouse space on the 1<sup>st</sup> floor footprint and 25,000 SF mezzanine of office space.

Associated site improvements include of landscaping, lightings, subsurface drainage structures, and on-site parking.

The subject property is located in an existing but underdeveloped industrial park now known as the Brookhaven Technology Center (aka the Brookhaven R&D Industrial Park). The park is located on the southeast corner of the Long Island Expressway and the William Floyd Parkway in the hamlet of Shirley. The subject as well as all surrounding parcels are zoned L1- Light Industrial, located in the Pine Barrens Compatible Growth Area and within an area designated by the Town of Brookhaven as an Empire Zone (to stimulate economic development via private investment)..

The site is bound by Ramsey Road to north, the roadway from which it has vehicular access, and by the LIRR tracks right-of-way to the south. Properties surrounding the subject property consist of vacant wooded lands and various light industrial land uses, medium density single family residential is to the south of the LIRR. The nearest LIRR station is located to the west in Yaphank.

There are no mass transit providers in close proximity, Suffolk County Bus Routes S66 and SS68 runs along Sunrise Highway (SR27) and Montauk Highway (SR 27) to the south. History shows the subject area was once served by Suffolk Transit's 7D bus line which has since been discontinued and no other bus line/route now directly services the subject area.

The subject proposal for site plan approval will also require a Parking and Front-yard Variance from the Town of Brookhaven Zoning Law. The current proposed site plan's off-street parking stall requirement for the project is a total of 436 stalls where 223 total stalls are provided resulting in a shortfall (variance) of 213 stalls (48.9%). Of the provided parking, 195 stalls will be paved and 28 stalls will be land banked. The other variance request is for relief from the front-yard setback requirement for the building (50' is proposed whereas 100' is required), and both of these (area) variances have not been referred to the Commission but would likely be considered matters for Local Determination.

The subject property is in the Town of Brookhaven Sewer District #2, and the sanitary flow allocated by the Town is 6,439 GPD for Lot # 4.52 and 558 GPD for Lot #5 for a total allowable sanitary flow of 6,997 GPD. The total proposed sanitary flow is within these parameters at 6,966 GPD.

Of the 11.68 acre property 5.87 acres will be developed with impervious surfaces and storm water runoff from the contemplated development is to be collected via on-site catch basins and recharged into the ground from subsurface leaching pools. Storm water drainage will be in conformance with Town of Brookhaven Code and will be required to prepare a SWPPP. The contemplated development proposes to physically disturb 7.48 acres or proximately 64%, just within the 65% designated by the Suffolk County Central Pine Barrens Standards for clearance of commercial and industrial developments.

The proposed project is within the Suffolk County Pine Barrens Zone Compatible Growth Area and Hydro-geologic Management Zone III. The subject parcel is therefore located in a State Special Groundwater Protection Area (SGPA), and in a State designated Critical Environmental Area. The site contains no regulated fresh or tidal wetlands.

## **STAFF ANALYSIS**

**GENERAL MUNICIPAL LAW CONSIDERATIONS:** New York State General Municipal Law, Section 239-l provides for the Suffolk County Planning Commission to consider inter-community issues. Included are such issues as compatibility of land uses, community character, public convenience and maintaining a satisfactory community environment.

The subject application for site development includes parcels located in an existing Light Industrial Park (Brookhaven Technology Center) and is generally compatible with surrounding land uses within the Park. Properties to the south across the LIRR track r-o-w are improved with detached single-family homes. With proper noise and lighting mitigation, it is not anticipated that the public convenience will be infringed and that the proposed project can be approved in a way that will continue to provide a satisfactory community environment.

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** It is the belief of the staff that the proposed action conforms to the spirit and intent of the recommendations of the Town of Brookhaven Comprehensive Plan Update – 1996.

The Plan identifies the subject area as “should be considered a transportation center...near the quadrant of the Long Island Expressway and William Floyd Parkway. This location deemed suitable due to its close proximity to Brookhaven's Calabro Airport, major highway access and the Long Island Railroad ...”, and the proposed warehouse/manufacturing facility would be consistent with the Plan.

## SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Environmental Protection
2. Energy efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the above policies:

As indicated above all wastewater from the proposed development is to be treated via connection to Town of Brookhaven SD #2. As noted earlier, the Town of Brookhaven has previously allocated sewage flow limits for development of the subject property which in turn set building size and density, in addition to those protections there are Suffolk County Central Pine Barrens' standards and guidelines for land use.

Submission materials to the Commission indicate that on site drainage requirements will be subsurface and no green methodologies are indicated as proposed. The proposal is within the Central Pine Barrens and requires compliance with 65% maximum clearing limits. The applicant should be encouraged to review the Suffolk County Planning Commission publication on *Managing Stormwater-Natural Vegetation and Green Methodologies* and incorporate into the proposal, where practical, design elements contained therein.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The applicants should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable for residential and clubhouse components of the proposal.

The discontinued Suffolk County Transit bus routes along William Floyd Parkway with designated stops within and/or in front of the Brookhaven Technology Center should considered into the future as more large development project in the vicinity are completed. The Town and applicants should be advised to reach out to Suffolk County Transit and discuss bringing back accommodations for transit riders to the LIE William Floyd crossroads area.

Little discussion is made in the petition to the Town and referred to the Commission on public safety and universal design. The applicant should review the Planning Commission guidelines particularly related to public safety and universal design incorporate into the proposal, where practical, design elements contained therein.

In order to mitigate any potential adverse impact to residential dwellings to the west from site lighting impacts, all lighting on site should be contained on site and not bleed off onto adjacent properties. Site lighting should conform to "dark-sky" initiatives.

The Town of Brookhaven and the applicant when reviewing parking shortfalls may wish to consider the installation of an Electric Vehicle charging station as a mitigation to the variance request or other methods to reduce parking stall demand on site or in the industrial park. Techniques may include may include, but are not limited to parking management programs, employee commute options

(rideshare incentives, preferred HOV parking), discounted transit passes (if applicable), provision of bicycle parking facilities, etc.

## **STAFF RECOMMENDATION**

**Approval** of the site plan application of Bactolac Pharmaceutical Inc. with the following comments:

1. The applicant should continue dialogue with the Suffolk County Department of Public Works with respect to connection to the Suffolk County Wastewater Sewer District #3 (Southwest).
2. The applicant and the Town should initiate dialogue with the Suffolk County Department of Public Works Transit Division toward the development of a transit (bus) stop location(s) to accommodate riders to both the subject property as well as the entire area. Currently there were no identified bus stops or routes in proximity to the subject site or Brookhaven Technology Center Industrial Park.
3. The applicant should be encouraged to review the Commissions publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein, and as per the Central Pine Barrens' guidelines, 'only cause minimal disturbance of native vegetation'.
4. No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein.
5. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
6. The applicant should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.
7. In order to mitigate any potential adverse impact to residential dwellings to the south from site lighting impacts, all lighting on site should be contained on site and not bleed off onto adjacent properties and site lighting should conform to "dark-sky" initiatives and code ordinances.
8. The Town of Brookhaven and the applicant when reviewing parking shortfalls may wish to consider the installation of an Electric Vehicle charging station as a mitigation to the variance request or other methods to reduce parking stall demand on site or in the industrial park. Techniques may include, but are not limited to parking management programs, employee commute options (rideshare incentives, preferred HOV parking), discounted transit passes (if applicable), provision of bicycle parking facilities, etc.









